

REMARKS/ARGUMENTS

In furtherance of the telephonic interview with the Examiner on April 12, 2007, Applicant requests that the Examiner withdraw the finality of the most recent Office Action such that any papers filed in response to that Office Action would be treated as a Response to a non-final Office Action. It was Applicant's understanding that the Examiner agreed. Therefore, Applicant has amended the claims, and is not filing a Request for Continued Examination.

Claims 1-8, 10, 29, 30, and 32-34 were rejected under § 102 as being anticipated by Lize. Independent Claim 1 has been amended to recite that the array of IR emitters have a length, the lamp protection plate has a length, and wherein at least one of the lamp protection plate and array of IR emitters has its length extending substantially parallel to and curved in the direction of the curved path.

Independent Claim 29 has been amended similar to Claim 1.

As shown in Figure 6 of the present application, a curved IR emitter 21 and a curved lamp protection plate 23 are provided wherein the curvature of these elements follows a curved path of the paper web 3. The use of a curved IR emitters and/or lamp protection plate allows an even and optimized drying effect.

With respect to the Lize reference, this shows a drying device including an array of IR emitters 7 (such as shown in Figures 1 and 2). Air is blown from openings 5 to keep a paper web 1 in the curved path shown. As shown in Figures 1 and 2, the IR emitters 7 are linear or straight, not curved. Furthermore, the IR emitters are arranged such that their axes are parallel to the axis of the curved path followed by the paper web 1, or alternatively, the IR emitters extend substantially perpendicular to the curved path of the paper web 1. This arrangement of the IR emitters in the Lize reference is exactly opposite of what is now claimed in independent Claims 1 and 29. There is absolutely no teaching or suggestion that the Lize reference should be so completely modified to reorient the IR emitters such that they follow a curved path, which is parallel to a curved path of the paper web. It is also clear that there are many disadvantages associated with the arrangement of the IR emitters shown in the Lize reference, noting that there cannot be an optimized drying of the paper since some parts of the paper web will be closer or farther away from the IR emitters than others.

With respect to Claim 7, this claim specifies that the lamp protection plate includes a plurality of quartz tubes arranged in an array. This particular arrangement is shown, for example, in Figures 6 and 7 of the present application. This particular arrangement of the quartz tubes allows the lamp protection plate to be cooled by passing gas through the quartz tubes. However, with Lize, there are no quartz tubes used for a lamp protection element. Rather, a protection screen 9 is described that is formed of sheets of quartz glass. These sheets of quartz glass are structurally dissimilar to the plurality of quartz tubes arranged in an array. Although the material may be similar, the physical arrangement of the lamp protection plate as claimed is very different from what is disclosed in Lize.

Therefore, independent Claims 1, 7, and 29 clearly distinguish over the Lize reference. Each of the other claims rejected depend directly or indirectly from independent Claims 1, 7 and 29. Therefore, this rejection under § 102 should be withdrawn.

Applicant gratefully acknowledges the allowability of Claims 11-26.

The application now appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if doing so would expedite the resolution of this case.

Respectfully submitted,

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Date: July 13, 2007